

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7337

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

CLEVELAND NELSON,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Fayetteville. Malcolm J. Howard, District Judge. (CR-94-57)

Submitted: January 28, 2004

Decided: February 26, 2004

Before WILKINSON, NIEMEYER, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Cleveland Nelson, Appellant Pro Se. Jane J. Jackson, Assistant United States Attorney, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Cleveland Nelson appeals the district court's orders denying relief on Nelson's Fed. R. Crim. P. 41(e) motion for return of property and denying his motion for reconsideration. See United States v. Nelson, No. CR-94-57 (E.D.N.C. June 24, 2003; Aug. 18, 2003). We have reviewed the record and find no reversible error because Nelson had notice of the contested forfeiture no later than April 1995, more than six years before he filed the Rule 41(e) motion. See 28 U.S.C. § 2401(a) (2000); United States v. Minor, 228 F.3d 352, 359 (4th Cir. 2000). Accordingly, we affirm. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED